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INCOMING TELEGRAM Department of State

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DEPARTMENT OF STATE A/CDC/MR
REVIEWED BY Jan Zuber DATE 12/1/81
PORTIONS DENIED AS INDICATED

C O N F I D E N T I A L JUNE 6.

L I M D I S

REF: DEPTEL 3737

1. SINCE HIS ARRIVAL. ___ HAS JOINED WITH OFFICERS FROM EMBASSY, USAID TO FORM SMALL WORKING-GROUP WHICH HAS BEEN SURVEYING ACTIVITIES OF ELECTION LAW DRAFTING COMMITTE ROCHE HAS ALSO REVIEWED MISSION FILES ON PAST ELECTIONS, TALKED WITH PROVINCIAL REPORTERS AS WELL AS THOSE LANGUAGE OFFICERS WHO ARE ENGATED IN DAY-TO-DAY MONITORING DRAFTING COMMITTEE' WORK. IN ADDITION, HAS MET WITH AMBASSADOR, CONSULTED WITH POLITICAL COUNSELOR RE ELECTORAL PROCESS, AND TALKED WITH CERTAIN OFFICERS ON AN INDIVIDUAL BASIS. HAS ALSO HAD ACCESS TO COMPLETE FILE OF ELECTION CABLES. COMMENTS ON REFTEL REPRESENT ROCHE'S VIEWS AS WELL AS THOSE OF MISSION WORKING GROUP CONCERNED WITH ELECTIONS.

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2. REGARDING YOUR PREFERENCE EXPRESSED IN PARA 2A THAT EACH VOTER CAST SINGLE VOTE FOR ONE CANDIDATE, EMBASSY OFFICERS HAVE ON BASIS OF YOUR EARLIER VIEWS ATTEMPTED TO SELL THIS IDEA WITH SEVERAL DRAFTING COMMITTEE MEMBERS. THERE HAS BEEN NO RPT NO INTEREST EXPRESSED IN THIS IDEA BY THE VIETNAMESE. ___ VIEWS ARE THAT THIS REGULATION WOULD AMOUNT TO DE FACTO DISENFRANCHISEMENT IN MULTI-MEMBER CITIES AND PROVINCES. HAS PREPARED STUDY OF POLITICAL COHESION IN LAST YEAR'S PROVINCIAL ELECTIONS EMPLOYING SAME SYSTEM AS ONE NOW CONTEMPLATED. ON THIS BASIS HE FEELS THAT THERE IS NO RPT NO DANGER OF UNDER-REPRESENTATION OF MINORITIES. ON THE CONTRARY, EVEN AN EXTENDED FAMILY COULD ELECT CANDIDATE. HE FEELS SYSTEM RECOMMENDED IN PARA 2A WOULD IN MULTI-MEMBER DISTRICTS "INCREASE CHAOS GEOMETRICALLY." HE DOES FAVOR POSSIBILITY OF PROVIDING FOR A RUN-OFF ELECTION IN THOSE CITIES AND PROVINCES WHERE LEADING CANDIDATES DO NOT OBTAIN NECESSARY PERCENTAGE MAJORITY TO GUARANTEE ELECTION.

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3. YOUR ASSUMPTION IN PARA 2B THAT COMMITTEE ANTICIPATES MILITARY VOTING IN-PLACE IS CORRECT. WE AGREE THAT THERE MIGHT BE SOME REASON FOR CONCERN THAT MILITARY COULD BE USED TO WEIGHT VOTES FOR PARTICULAR CANDIDATES, BUT IN VIEW OF FACT THAT

DO NOT REMOVE

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ELECTION DISTRICTS ARE PROVINCES AND NOT SMALLER UNITS THIS SORT OF WEIGHTING IF ATTEMPTED WOULD NOT BE AS SIGNIFICANT AS IN DIEM PERIOD. ALTERNATIVES TO IN-PLACE VOTING BY MILITARY WOULD SEEM TO BE SOME FORM OF ABSENTEE VOTING (WHICH IS MECHANICALLY NOT FEASIBLE IN PRESENT CIRCUMSTANCES) OR DISENFRANCHISEMENT. THESE APPEAR TO US TO BE UNACCEPTABLE ALTERNATIVES.

4. WE UNDERSTAND CONCERN YOU EXPRESS RE APPARENTLY HARSH STAND COMMITTEE HAS TAKEN VIS-A-VIS CANDIDACY OF NEUTRALISTS. WE HAVE IN OUR CONTACTS URGED ADOPTION OF SOME LESS EXCLUSIVE FORMULA BUT WITHOUT SUCCESS. WE HAVE BEEN INHIBITED TO SOME EXTENT BECAUSE NEUTRALISM IS STILL POLITICALLY SENSITIVE WORD IN VIETNAMESE LEXICON. WITHOUT DAY-TO-DAY TOUCH WITH VIETNAMESE POLITICAL LIFE IT IS DIFFICULT TO UNDERSTAND CONNOTATIVE IMPORTANCE STILL ATTACHED TO WORD "NEUTRALISM" IN VIETNAMESE POLITICAL CIRCLES BOTH INSIDE AND OUTSIDE GOVERNMENT. EACH SUCCESSIVE GOVERNMENT SINCE DIEM HAS TAKEN ANTI-NEUTRALIST AS WELL AS ANTI-COMMUNIST STANCE. AS FAR AS MAJORITY OF ANTI-COMMUNIST VIETNAMESE ARE CONCERNED A NEUTRALIST SOLUTION TO PRESENT PROBLEM IS MERELY WAY STATION ON ROAD TO EVENTUAL COMMUNIST TAKEOVER. PUBLIC SPEECHES STILL YOKE COMMUNISTS WITH NEUTRALISTS AND COLONIALISTS. NEUTRALISM HAS BECOME A POLITICAL SHIBBOLETH IN MINDS OF MANY ASSOCIATED WITH POLITICAL MISTAKES AND DISASTERS OF PAST. MODIFICATION OF U.S. POLICY OVER THE MONTHS ON QUESTION OF NEUTRALIST SOLUTION HAS SURPRISINGLY HAD LITTLE IMPORTANT IMPACT AND THOUGH INTELLIGENT THINKING PEOPLE WITHIN GOVERNMENT SUCH AS DO HAVE GRASPED SIGNIFICANCE OF THIS EVOLUTION IN OUR POSITION, THIS AWARENESS HAS NOT PERMEATED DOWN THROUGH MANY LAYERS.

5. IN VIEW OF FOREGOING WERE WE TO MAKE IMPORTANT EFFORT AT THIS ST WITHIN COMMITTEE TO MODIFY THEIR FORMULATION REGARDING NEUTRALISTS WE COULD EASILY SEND OUT SHOCK WAVES WHICH MIGHT PRODUCE AN UNDESIRABLE RESULT. THEREFORE WE FEEL IT IS MORE DESIRABLE TO LEAVE IT AS IS FOR THE MOMENT AND PRESS GVN TO SOFTEN WORDING IN SOME WAY TO MAKE IT MORE ACCEPTABLE IN TERMS OF VIEW OF WORLD OPINION. ON BASIS OF LAST MEETINGS OF DRAFTING COMMITTEE (WHICH ARE IN PROGRESS AS THIS IS BEING WRITTEN) IT WOULD APPEAR THAT THEIR REPORT AND RECOMMENDATIONS TO GOVERNMENT WILL NOT TAKE FORM OF IMMUTABLE DECREE-LAW DRAFTS. THIS WAS UNDOUBTEDLY INTENTION OF SEVERAL MEMBERS, BUT PRESSURES OF MOMENT INDICATE THAT THIS IS NOW UNLIKELY. GOVERNMENT SHOULD, THEREFORE, HAVE SOME LIMITED FLEXIBILITY.

6. UNDERSTAND VOTER REGISTRATION PROCEDURES WILL BE SOMEWHAT SIMILAR TO THOSE USED IN 1965 PROVINCIAL COUNCIL ELECTIONS.

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LIST OF ELIGIBLE VOTERS WILL BE PREPARED BY VILLAGE AUTHORITIES AND POSTED PUBLICLY JULY 7 AT HEADQUARTERS VILLAGE COUNCILS. IN CITIES VOTER LISTS WILL BE PREPARED AND POSTED BY CITY AUTHORITIES. PERSONS NOT ON LIST OR INCORRECTLY LISTED MAY FILE COMPLAINTS WITH AUTHORITIES. FOLLOWING PERIOD FOR CORRECTION OF VOTING LIST, LOCAL AUTHORITIES WILL POST FINAL LIST OF ELIGIBLE VOTERS AUGUST 20. PROVISION MADE FOR MILITARY AND OFFICIAL CIVILIANS IN TRANSIENT STATUS TO VOTE WITHOUT REGISTRATION.

7. REPLIES TO MULTIPLE QUESTIONS POSED IN PARA 3 REFTEL WILL BE SUBJECT OF SEPTEL. LODGE
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NOTE: ADVANCE DELIVERY TO S/S-O, WHITE HOUSE, CIA, USIA, DOD, & NSA, 6/6/66 at 10:01 A.M.

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